

FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

Apr 30, 2025

SEAN F. McAVOY, CLERK

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

UNITED STATES OF AMERICA,

Plaintiff,

v.

JAY W. FINCH,

Defendant.

No. 4:25-CR-06013-MKD

PROTECTIVE ORDER FOR
DISCOVERY, AND ORDER
GRANTING MOTION TO
EXPEDITE

ECF Nos. 25, 26

Before the Court are the parties' stipulated Motion for Discovery Protective Order, ECF No. 25, and the United States' related Motion to Expedite, ECF No. 26. The Court has reviewed the motions and the record and is fully informed. The Court finds good cause to grant the motions.

Accordingly, **IT IS HEREBY ORDERED:**

1. The parties' stipulated Motion for Discovery Protective Order, **ECF No. 25**, and the United States' Motion to Expedite, **ECF No. 26**, are **GRANTED**.

2. This Protective Order governs all discovery material in any format (written or electronic), and information contained therein, that is produced by the

1 government in discovery in the above captioned case.

2 **3.** The United States will make available copies of discovery materials,
3 including those filed under seal, to defense counsel to comply with the
4 government's discovery obligations, and consistent with any other protective order
5 issued in this case. Possession of copies of the discovery materials is limited to the
6 attorneys of record, and investigators, paralegals, law clerks, experts and assistants
7 for the attorneys of record who are assigned to work on this defense of this case
8 (hereinafter collectively referred to as members of the defense team). Members of
9 the defense team may use discovery materials and the information contained
10 therein only for the defense of this case and for no other purpose. Members of the
11 defense team shall not disseminate discovery materials or the information
12 contained therein to anyone outside the defense team. Counsel of record for the
13 Defendant shall ensure that all members of the defense team abide by this
14 Protective Order.

15 **4.** The attorneys of record and members of the defense team may display
16 and review the discovery materials with the Defendant as provided in this Order
17 and consistent with any other protective order entered in the instant case. The
18 attorneys of record and members of the defense team acknowledge that providing
19 copies of the discovery materials to the Defendant and other persons is prohibited,
20 and agree not to duplicate or provide copies of discovery materials to the

1 Defendant and other persons.

2 **5.** Nothing in this order should be construed as imposing any discovery
3 obligations on the government or the defendant that are different from those
4 imposed by case law and/or Rule 16 of the Federal Rules of Criminal Procedure
5 and the Local Criminal Rules.

6 **6.** Any discovery material, or information contained therein, that is filed
7 with the Court in connection with pre-trial motions, trial, sentencing, or other
8 matter before this Court, shall be filed under seal and shall remain sealed until
9 otherwise ordered by this Court. This does not entitle either party to seal their
10 filings as a matter of course. The parties are required to comply in all respects to
11 the relevant local and federal rules of criminal procedure pertaining to the sealing
12 of court documents.

13 **7.** The provisions of this Order shall not terminate at the conclusion of
14 this prosecution.

15 **8.** Any violation of any term or condition of this Order by the Defendant,
16 the Defendant's attorney(s) of record, any member of the defense team, or any
17 attorney for the United States Attorney's Office for the Eastern District of
18 Washington, may be held in contempt of court, and/or may be subject to monetary
19 or other sanctions as deemed appropriate by this Court.

20 **9.** Any discovery materials provided pursuant to this Order shall be

1 returned to the United States Attorney's Office, including all copies, within ten
2 days of the completion of the case before the Court or, if an appeal is taken, within
3 ten days of the completion of the case in the United States Court of Appeals for the
4 Ninth Circuit or Supreme Court of the United States.

5 **10.** If the Defendant violates any term or condition of this Order, the
6 United States reserves its right to seek a sentencing enhancement for obstruction of
7 justice. Defendant reserves the right to challenge the United States' argument
8 regarding any alleged violation or enhancement for obstruction of justice.

9 **IT IS SO ORDERED.** The Clerk's Office is directed to enter this Order
10 and provide copies to all counsel.

11 **DATED** April 30, 2025.

12 *s/Mary K. Dimke*
13 MARY K. DIMKE
14 UNITED STATES DISTRICT JUDGE
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